



SACRAMENTO - SAN JOAQUIN  
**DELTA CONSERVANCY**

3500 Industrial Blvd.  
West Sacramento, CA 95691  
<http://www.deltaconservancy.ca.gov>

## Action Items and Meeting Summary

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### **Background**

Action Items and Meeting Summary from Conservancy Board meeting on February 23, 2011.

### **List of Attachments**

Attachment 1 – Action Items and Meeting Summary

### **Contact**

Susan Roberts, Board Liaison  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2088



SACRAMENTO - SAN JOAQUIN  
**DELTA** CONSERVANCY

**Action Items and Meeting Summary**  
**for the February 23, 2011 Board Meeting**  
**at**  
**1075 West Capitol Blvd., West Sacramento, CA**

**ACTION ITEMS**

1. Staff will update board on Environmental Scientist position status as they are notified.
2. Staff, with Counsel, will investigate and report at the March 16, 2011 meeting what is involved with making available a teleconference line for Liaison Advisors and the public.
3. Staff will provide a budget report and a draft letter to the Governor at the March meeting.
4. Staff will manage the office space location process.
5. Staff will follow up with an email to the board requesting recommendations for the delegate position on the Delta Protection Advisory Committee.
6. Staff will follow up with Yolo County on the Proposed Conaway Ranch Agreement.
7. Staff will send an updated Confidentiality Agreement for "red flag" review documents related to the Delta Plan to DSC; it will list as reviewers: the Executive Officer, staff as warranted by the Executive Officer, Board Chair and the Strategic Planning and Policy Subcommittee members.
8. Staff will identify potential speakers, identify potential funding, including possible sponsors, and provide a rough draft at the next board meeting for the proposed Fall Delta Round Table.
9. Staff will create an organizational chart including the standing Strategic Planning and Policy Subcommittee and proposed work groups.
10. Staff will initiate an Interagency Agreement and an RFP to begin the strategic plan process.

11. Staff will post the Delta Science and Interagency Ecological Program presentations online.
  12. Staff will coordinate extending the Yolo Bypass tour to include the Conaway Ranch and notify the staff of the times and agenda, as they are confirmed.
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## **MEETING SUMMARY**

### **1. Morning Session Call to Order**

The meeting was called to order at 9:07 a.m., February 23, 2011, by Chair Mary Piepho.

### **2. Flag Salute**

Chair Piepho led the flag salute.

### **3. Welcome and Introduction**

Chair Mary Piepho introduced and welcomed new Alternate Liaison Advisor Susan Fry, from the US Bureau of Reclamation, and Liaison Advisor Maria Rea, from the U.S. National Marines Fisheries Services, who was not in attendance at this meeting.

### **4. Roll Call**

Roll call was taken and a quorum was established. The following Board members were present for the meeting: Chuck Bonham, Karen Finn, Mike Eaton, Mary Piepho, Jim Provenza (arrived 9:15), Todd Ferrara, Dan Taylor, Ken Vogel, and Darla Guenzler.

### **5. General Public Comments**

There were no general public comments.

### **6. Consent Calendar Items**

The Board approved the Action Items and Meeting Summary for the Board Meeting on January 19, 2011 by unanimous vote.

### **7. Executive Officer Hiring**

Chair Mary Piepho reported that in closed session on January 19, 2011, the board selected Campbell Ingram as the Executive Officer. With an exemption letter and help from John Laird, Phil Isenberg, and the Governor, we received the exemption to hire an

Executive Officer. It was moved and seconded to hire Campbell Ingram as our Executive Officer. The Ayes carried unanimously. Campbell Ingram will start Monday, March 7, 2011. Campbell was present at the meeting and was introduced.

## **8. Interim Executive Officer's Report**

**Environmental Scientist** – Staff is still waiting to hear where we are with hiring an Environmental Scientist now that we are in a hiring freeze. Staff relies on Delta Stewardship Council (DSC) and CalFire to process hiring paperwork. Fire season hiring has slowed down the process. Staff hopes to hear soon if the process was far enough along to clear the freeze. If needed, staff have drafted an exemption request letter to the Governor, especially in light of the Delta Plan process which is now fully engaged. Per the Governor's Executive Order, the Conservancy is not allowed to contract for personal services that a State employee could do. Todd Ferarra, Resources Agency, offered to assist in working with CalFire to move the process forward.

**Open Phone Line at Board Meetings** – Staff received a request from a Liaison Advisor to phone in to meetings when they are unable to attend. Concerns with how to address Bagley Keene compliance were discussed. Board asked staff and Counsel to investigate the issue and report back. A motion was made and seconded to offer Liaison Advisors and the public a teleconference option. Issues, including notification and public meeting space concerns, led to an amendment to the motion. Staff, with Counsel, will investigate and report back on offering a board meeting teleconference option to Liaison Advisors and the general public. The Ayes carried unanimously.

**Conservancy Budget Update** – Staff reviewed the history of the 2011 Spring Finance Letter (SFL) process. Staff submitted the SFL to the Resources Agency in early February. It was reviewed and sent to Department of Finance (Finance). Finance staff have recommended the request be denied, deferring it to the Fall process, stating the evaluation criteria for funding was narrow in scope, prioritizing public health and safety issues and reappropriation of existing funds. Per a recommendation from Finance staff, the interim Executive Officer met with Joe Grindstaff and Keith Coolidge of the DSC to discuss the status of the SFL and to specifically discuss the Conservancy's need for funding to lease a permanent office space in the legal Delta. All aspects of the SFL were discussed including: 1) funding to complete the strategic planning process and implement demonstration projects; 2) lease costs, \$65,000 per year; and 3) \$35,000 for office and IT student assistants. The DSC, per Chair Phil Isenberg decided not to provide the Conservancy with additional funding at this time. Staff have drafted a letter to the Governor in anticipation of a review of our SFL by his office, requesting his approval of the additional funding. Member Karen Finn from Finance recommended the Board allow time for Finance's executive management to review the SFL and the division of CalFed monies and to work with the Governor's Office during its April review process for budget requests. The final decision on our SFL by the Governor's Office will not be made until approximately mid-April.

Timelines for current office space arrangements and the Conservancy's search for a new headquarters were also discussed. The Conservancy is currently in negotiation for a lease on permanent office space, expected to be completed the end of this month, allowing four months to set up the space and to meet the deadline of June 30, 2011 for leaving the DWR facility. The Department of General Services, handling the lease, is on stand by due to initial negative recommendation on the SFL. The Department of Water Resources (DWR) Memo of Understanding for temporary office space and associated IT and facilities support expires June 30, 2011 and staff will meet with DWR to explore space availability for an additional year.

Senator Wolk's office requested and was provided information on the Delta Conservancy's budget issue and Alan Gordon, Principal Consultant for Senator Joe Simitian was notified of the issues. Staff have diligently explored both state and private funding options with no additional funding identified for basic operating needs.

Members discussed how to move forward on these issues, including appealing the CalFed funding division and enlisting legislative help such as Assembly member Jared Huffman, Senator Lois Wolk and others. Member Karen Finn from Finance, suggested this issue should be further investigated by Finance management and Finance staff and they would reexamine the division of the CalFed monies. She requested the Board delay involving the Governor or Legislators until the State agencies have a chance to investigate this matter further. No public information would be released before April and Member Finn stressed that nothing can be done, including signing a new lease, until there is a final budget in place for fiscal year 2011-12. She also stressed that there has been no final decision made yet on the SFL, therefore nothing to appeal at this point. Tina Andolina, from Senator Wolk's office, stated they see this as an issue that warrants further investigation. Member Todd Ferrara from Resources Agency said he had spoken with Secretary Laird and they are committed to talking to DWR regarding space needs for the Conservancy.

The Board requested an updated budget report at the March meeting and a draft letter to the Governor to review.

**Conservancy Correspondence** – Most correspondence this month were comment letters. However, one letter from the Delta Protection Commission (DPC) requires board action. They request a representative to sit on their Delta Protection Advisory Committee (DPAC). The delegate could be Conservancy board member, but doesn't have to be; meetings are held every other month and DPC approves the delegate, although basically the approval is a formality. Staff will follow up after the meeting with an email to the board requesting recommendations for the position which will be reviewed at the March board meeting.

The Conservancy sent a letter to Yolo County Board of Supervisors regarding the Conservancy's involvement in habitat restoration actions as part of the revised Conaway Ranch Agreement. The letter expressed the Conservancy's interest in partnering with Yolo County on any future conservation easement and habitat

restoration activities. At the Yolo County Board of Supervisors meeting Senator Wolk, as well as Yolo County Chief Counsel Phil Pogledich, presented the Conservancy's interest in partnering. Staff will follow up with Yolo County on the progress of this agreement; Member Provenza will keep the Conservancy informed.

Staff reviewed the proposed Confidentiality Agreement sent by DSC to give the Conservancy the opportunity to view "red flag" review documents related to the Delta Plan before they are released to the public. It was noted that "red flag" documents for the first draft were sent out the Friday (2/11) afternoon before the Monday (2/14) release of the first staff draft. All board members would not be listed on agreement, but members of the proposed Strategic Plan and Policy Subcommittee, to be discussed later, could be added, as well as additional staff. After much discussion, a motion was moved and seconded that the EO, staff as warranted by the EO, and Board Chair would be listed on the Confidentiality Agreement to DSC, with a provision to add Strategic Planning and Policy Subcommittee members after approved in a later agenda item. The Ayes carried with one Nay. (Ayes - Chuck Bonham, Karen Finn, Mike Eaton, Mary Piepho, Todd Ferrara, Dan Taylor, Ken Vogel, and Darla Guenzler; 1 Nay – Jim Provenza, 0 Abstentions)

**Conservancy Contracts** – The contract with DSC for strategic planning funding of \$150,000 is in place. The lease contract for headquarters space was skipped in light of the current budget status.

**Future Funding Sources** – No new opportunities were being considered at this time.

### **Fall Delta Round Table**

Staff proposes a one day Fall Delta Round Table towards the end of the Delta Plan's public review process, perhaps September/October. They propose three panel discussions: one among the big players, DSC, DPC, etc, with question and answer periods following; one on Delta issues between the Governor and Senator Feinstein; and a third "local-interests" panel, featuring those impacted by planning efforts. They envision a keynote speaker discussing the new regime and conflicts in the Delta.

Board wants the round table linked to the Conservancy's mission; the focus needs to be on the Conservancy. Staff will work to get speakers and funding, including possible sponsors. Board requested a rough draft to be reviewed at the next meeting.

## **9. Strategic Plan Process**

Nancy Ullrey reviewed the action on the proposed Interim Strategic Plan (ISP) since the last board meeting. Public and board comments were further discussed and amended by staff and the Strategic Plan Subcommittee. Copies of the final ISP were included in meeting materials, a redline version was posted online along with the Comment Matrix, which includes comments received and the committee's decisions on them. Chair Piepho asked for comments from board and public. Receiving none, she

asked for a motion. A motion was moved and seconded to adopt the Interim Strategic Plan as amended. Clarification was requested on subcommittee discussion regarding thematic and geographic focus and achieving a balance in funding projects ("Organizational Goal 2: Implement a balanced program", on page 36). Staff noted that as the Subcommittee develops criteria for the Strategic Plan, these issues will be considered. A vote was taken and the Ayes carried unanimously.

The Strategic Plan Subcommittee had discussed and recommended the subcommittee be expanded to include Policy issues and be made into a standing committee. The immediate policies the Subcommittee recommended developing include a Land Ownership and Best Management policy and a Climate Change policy. These policies can be pulled into comments on the DSC Delta Plan.

The Subcommittee also proposed establishing work groups under the proposed Subcommittee. Their thinking was to form smaller teams to focus on technical issues, perhaps limiting board members to not more than 2 per team and therefore not subject to the 10-day notice requirement, and that the teams not be limited to board members, but be open to community members with the needed expertise. The Subcommittee would: 1) draft project priority criteria, 2) draft project priority lists and 3) participate in Delta Plan responses. Work groups could be established for: the strategic plan, the Delta Plan, land ownership, climate change and as needed. Members can be added or reduced to the existing subcommittee. The board asked staff to create an organizational chart including the standing Strategic Plan and Policy Subcommittee and proposed work groups.

A motion was moved and seconded to enhance the Strategic Plan Subcommittee to include Policy, become a standing committee and use work groups on technical issues as needed. A vote was taken and the Ayes carried unanimously.

Staff reported that contracting for completion of the strategic plan will involve working out an Interagency Agreement to begin facilitation of the workshops and using an RFP to contract with consultants that will lead the workgroups; the RFP process is expected to take 6-10 weeks. Board asked that the agreement and contract include language that both groups will work together. A motion was moved and seconded to begin the strategic plan process through contracting for services using an Interagency Agreement and the RFP process. A vote was taken and the Ayes carried unanimously.

It was moved and seconded to amend the earlier motion for the Confidentiality Agreement with DSC to include authorizing the Strategic Planning and Policy Subcommittee members to be added to the list authorized to receive "red flag" review documents related to the Delta Plan. The list is not to include work group members. A vote was taken and the Ayes carried unanimously.

## **10. Delta Plan Update**

DSC Executive Officer Joe Grindstaff provided an overview of the Delta Plan stating it will include the objectives of co-equal goals; the objectives stated in law, findings that relate to those objectives and it will layout policy that will be enforceable. Staff is working on smoothing out the findings' language on the controversial issues including water use in all areas of the state, as well as on the issue of endangered species. Each finding will have a fact sheet. The Interagency Science Board will tweak, review and make suggestions. The four missing chapters of the Delta Plan will be released March 18. Each month for the next four months, a new draft will be considered by the Council. By mid-June the EIR and final Delta Plan will be available for public comments. They expect the plan to be adopted by November 2011 and sent to the Office of Administrative Law to be adopted by January 2012. The plan will be done on time. Law says the Delta Plan can be amended as needed and given that all plans they need to consider are not done, DSC intends to amend as needed, not necessarily waiting for the required five year review. The Delta Plan will be an enforceable document; it will also be a controversial document outlining what they believe is the right balance to achieve the co-equal goals.

## **14. Update on Delta Protection Commission's Plans**

DPC Executive Director Mike Machado reviewed the three plans for which the DPC is responsible, including the Land Use and Resource Management Plan, the Legal Delta Primary Zone Boundary Review and the Economic Sustainability Plan. The RFP to complete the Economic Sustainability Plan for the Sacramento-San Joaquin Delta was re-bid and proposals are due March 4, 2011, 2:00 p.m.

## **15. Presentations on the Delta Science and the Interagency Ecological Programs**

Dr. Cliff Dahm provided an overview of the Delta Science Program; the program's website is: [http://www.deltacouncil.ca.gov/delta\\_science\\_program/](http://www.deltacouncil.ca.gov/delta_science_program/). Dr. Anke Mueller-Solger reviewed the history and current status of the Interagency Ecological Program (IEP); her program's website is: <http://www.water.ca.gov/iep>. Flow reports are available on IEP's website. Presentations for both programs will be posted online under Meeting Materials for the February 23, 2011 Board Meeting.

## **16. Potential Agenda Items for the March 16, 2011 Agenda**

In light of the Conservancy letter sent in support of the Conaway Ranch Agreement, and its close proximity to the Yolo Bypass, the board asked if March's tour could include the Conaway Ranch. Staff will investigate its inclusion in the tour. Jim Provenza offered his assistance. Chair Piepho suggested those interested in the tour hold off scheduling any meetings until after 3:00 p.m. to accommodate the possible extended tour. Staff will update the board on the time schedule as soon as plans are confirmed. Steve Chappell confirmed that a tour of the Suisun Marsh was scheduled for the April 20, 2011 Board Meeting.



#### **14. Public Comments**

There were no public comments.

#### **15. Meeting Adjourned**

The meeting was adjourned at 11:35 a.m. The next meeting is scheduled March 16, 2011. It will begin with a short meeting at 3500 Industrial Blvd., West Sacramento, and conclude with a tour of the Yolo Bypass and, if it can be arranged, the Conaway Ranch.

Respectfully submitted on March 4, 2011

*Susan Roberts*

Board Liaison, Sacramento-San Joaquin Delta Conservancy